

REMARKS

The present amendment is in response to the Office Action dated September 13, 2004. Claims 22-31 and 52-70 are now present in this case. Claims 28, 52, 59, and 61 have been amended. New claims 62-70 have been added.

The Examiner will kindly note that representation in this matter has been transferred to another attorney. A Power of Attorney to Prosecute Application Before the USPTO, a Statement Under 37 C.F.R. § 3.73(b), and a Request to Amend the Attorney Docket Number are attached herewith.

The Office Action indicates that claims 1-61 are pending in the application and identifies the application as a continuation in part of application 08/944,668, now issued as U.S. patent number 6,381,633. This is incorrect. A preliminary amendment filed with the application on January 18, 2002, canceled claims 1-21 and 32-51. Thus, only original claims 22-31 and 52-61 and new claims 62-69 are pending in the present application. Furthermore, the present application is a divisional of U.S. application number 08/944,668. Pending claims 22-31 and 52-61 were restricted out of the parent case in a restriction requirement dated July 30, 1999. In response to that restriction, the applicants canceled claims 22-31 and 52-61 and filed the present divisional application to pursue patent protection for canceled claims 22-31, and 52-61.

The Office Action includes a double patenting rejection of claims 1-61 under 35 U.S.C. § 101 as conflicting with claims 1-61 of copending U.S. Application No. 10/053,827. This is incorrect. As noted above, the present application is a divisional of U.S. Application No. 08/944,688. Only claims 22-31 and 52-61 are present in the pending application. Copending Application No. 10/053,827 is also a divisional of U.S. Application No. 08/944,668. Copending Application No. 10/053,827 also included a preliminary amendment canceling claims 1-7, 11-38, and 42-61. Thus, only original claims 8-10 and 39-41 are present in copending Application No. 10/053,827. Because no common claims exist between the two pending applications, the applicants respectfully request that the rejection of claims under 35 U.S.C. § 101 be withdrawn.

The Office Action also includes a nonstatutory double patenting rejection (*i.e.*, an obviousness type double patenting rejection) of all claims over U.S. Patent No. 6,381,633. As noted above, the present application is a divisional of U.S.

Application No. 08/944,688, now issued as U.S. Patent No. 6,381,633. In view of the restriction issued in the parent case, U.S. Patent No. 6,381,633 cannot be used as a basis for rejection of claims that have been previously determined to be patentably distinct. (See 35 U.S.C. § 121.) Accordingly, the applicants respectfully request that the obviousness type double patenting rejection be withdrawn.

Claims 1-7, 19-21, 22-31, 32-38, and 52-61 stand rejected under 35 U.S.C. § 102(e) as anticipated by U.S. Patent No. 5,621,727 to Vaudreuil. In view of the cancellation of certain claims in a preliminary amendment, the applicants will address only the rejection of claims 22-31 and 52-61. Vaudreuil describes a technique for network-based voice messaging in a system having private addressing plans. Vaudreuil never describes service information, such as an information type, a delivery period, and a delivery format, as recited in claim 22. In view of the fact that Vaudreuil does not disclose such service information, Vaudreuil cannot possibly be viewed as disclosing "sending a request to a master platform in response to said service information" or a master platform responding to a request "by requesting information from an information source, said information corresponding to said service information," as further recited in claim 22. For at least these reasons, Vaudreuil cannot possibly anticipate claim 22 and does not suggest a method such as recited in claim 22. Therefore, claim 22 is clearly allowable over Vaudreuil. Claims 23-31 are also allowable in view of the fact that they depend from claim 22, and further in view of the recitation in each of those claims.

With respect to claim 52, it should be noted that Vaudreuil utilizes a distributed database architecture in which each hub (e.g., the hub (12) of figure 1) contains a hub database (e.g., the hub database (68) of figure 2). Figure 16 illustrates data entries in a translation table stored within a hub (i.e., the hub (200) of figure 15).

In sharp contrast to the distributed architecture of Vaudreuil, claim 52 recites a centralized data system. Claim 52 recites *inter alia* "a messaging platform having means for receiving a mailbox ID and service information from a subscriber and means for requesting from a master platform information corresponding to said service information." The master platform has "means for communicating with an information source, said means for communicating responsive to said means for requesting by

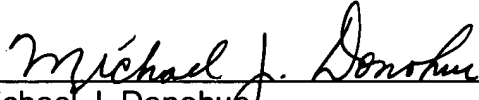
requesting information corresponding to said service information from said information source.” Thus, the master platform serves as a centralized access point for service information. This centralized data architecture of claim 52 is significantly different from the distributed architecture of Vaudreuil in which the multiple hubs each contain its own database. While Vaudreuil does disclose a network center (e.g., the network center 37 of figure 1), Vaudreuil discloses that the network center “receives these database and status updates and transmits those updates to the remaining hubs in the communications system (10).” (See column 7, lines 20-23.) Thus, Vaudreuil discloses a distributed system. As such, Vaudreuil cannot be held to teach a messaging platform communicating with a master platform to obtain information therefrom. Vaudreuil has no equivalent to the master platform recited in claim 52. Accordingly, claim 52 is clearly allowable over Vaudreuil. Claims 53-61 are also allowable in view of the fact that they depend from claim 52, and further in view of the recitation in each of those claims.

New claim 62 is an independent apparatus claim reciting *inter alia* “an information source coupled to a master platform and configured to receive a request for information corresponding to the service information and to respond to the request with a response message, the master platform further configured to receive the response message and to transmit the response message to the first of the plurality of messaging platforms.” As discussed above, Vaudreuil is directed to a distributed architecture and does not disclose a master platform or information source coupled to the master platform in the configuration recited in claim 62. Accordingly, claim 62 is also allowable over Vaudreuil. Claims 63-69 are also allowable in view of the fact that they depend from claim 62, and further in view of the recitation in each of those claims.

In view of the above amendments and remarks, reconsideration of the subject application and its allowance are kindly requested. If questions remain regarding the present application, the Examiner is invited to contact the undersigned at (206) 628-7640.

Respectfully submitted,

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